

**Remarks**

In response to the August 23, 2010 Office Action made Final (the "present Office Action"), Applicants hereby advance the foregoing Amendments and the below remarks which are respectfully believed to establish that the currently pending Claims as amended are in a condition for allowance **without raising new issues or requiring further searching or undue renewed consideration because currently amended Claim 1 and the remaining pending claims directly or indirectly dependent thereon adopt subject matter indicated as allowable in the present Office Action made Final.**

Claims 1 to 17 were previously pending. Currently Claims 6, 14, and 15 are cancelled and the subject matter thereof, including the Claim 15 subject matter indicated as allowable in the present Office Action, is now included in currently amended independent Claim 1. All remaining pending claims are directly or indirectly dependent upon currently amended Claim 1. No new matter has been introduced by the amendment of Claim 1 as support for the foregoing amendments may be found at the canceled claims.

**I. CURRENTLY AMENDED CLAIM 1 ADOPTS SUBJECT MATTER INDICATED AS ALLOWABLE IN THE PRESENT OFFICE ACTION MADE FINAL.**

*All Claims Currently Prosecuted Are Directed To Allowable Subject Matter.*

The present Office Action at page 9 paragraph 14 states that Claim 15 would be allowable if rewritten to overcome the rejection under 35 U.S.C. 112, 2<sup>nd</sup> paragraph set forth in the Office Action and to include all of the limitations of the base claim and any intervening claims. The rejection under 35 U.S.C. 112, 2<sup>nd</sup> paragraph stated that Claim 1 was indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. Specifically, it was not clear how the arcuate inner surface of the resilient liner extends

inwardly "allowing" the surface to extend below the container neck crown. Further certain indicated Claim 1 language describing the resilient liner was stated to be redundant.

Applicants have currently amended Claim 1 so as to include therein the Claim 15 subject matter indicated as allowable in the present Office and all of the limitations of the applicable base and intervening claims (prior Claims 14 and 6 respectively). Claim 1 is also currently amended to delete the objectionable 35 U.S.C. 112, 2<sup>nd</sup> paragraph language of "allowing" and the redundant language of "to extend inwardly". The absence of the language "allowing" and the redundant language of "to extend inwardly" in currently amended Claim 1 is believed to have rendered the rejection under 35 U.S.C. 112, 2<sup>nd</sup> paragraph moot. Specifically, currently amended independent Claim 1 now states:

A composite lined closure for use with a container having a container neck crown, said composite lined closure comprising:

a top having a periphery, an underside, a central well, and a surface closing said well;

a skirt depending downward from said periphery, said skirt including an inner surface and a locking bead radially extending inward from said skirt; and

a resilient seal liner extending along said underside, down said inner surface and to said locking bead, said liner having an arcuate inner surface, a lower portion of said arcuate inner surface disposed radially inward below said container neck crown when said closure is applied to said container;

wherein said surface closing said well is a membrane monolithically formed with said liner and wherein one or more liner legs are provided to allow material forming the liner to run from the liner to the membrane during the molding process.

Currently amended Claim 1 includes the Claim 15 subject matter indicated as allowable in the present Office, namely all of the limitations of prior Claims 15 and its base and intervening Claims 14 and 6.

It is respectfully submitted that currently amended Claim 1 and all remaining pending claims directly or indirectly dependent upon currently amended Claim 1 are now in a condition for allowance **without raising new issues or requiring further searching or undue renewed consideration because they adopt subject matter indicated as allowable in the present Office Action made Final.**

Reconsideration is therefore requested.

**II. THE DRAWING OBJECTION UNDER 37 CFR 1.84(p)(5) HAS BEEN RENDERED MOOT BY AMENDMENT OF THE SPECIFICATION.**

*Drawing Objection.*

The August 23, 2010 Office Action made Final objected to the drawings as failing to comply with 37 CFR 1.84(p)(5) because they include the reference characters at least 33a, 34a, 39b, 42a, and 42b. Corrected drawing sheets in compliance with 37 CFR 1.121(d) or amendments to the specification to add the reference characters in the description in compliance with 37 CFR 1.121(b) was required.

Applicants' foregoing amendments to the specification are believed to have rendered moot the drawing objection by virtue of the amendment adding the reference characters in the

description. Specifically Applicants seek entry of an amendment to replace paragraph [0076] of the specification (as published as United States Patent Application 20070221672) and add the reference characters at least 33a, 34a, 39b, 42a, and 42b, and further skirt bottom edge 36c, in the description in compliance with 37 CFR 1.121(b). No issue of new matter is presented by such amendment as support thereof may be found in the discussed drawings thereof.

***Conclusion.***

It is submitted that the application is now in condition for allowance and an early and favorable action to that end is requested. If any questions or issues remain, the resolution of which the Examiner feels would be advanced by a telephonic conference with Applicants' attorney, please contact the undersigned at the telephone number noted below.

November 19, 2010.

Respectfully submitted,

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